IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 6738 of 2005

Between:

K.E.AYYANNA, E-114031 Shramik,
S/o, Late Anjanyulu, Pathikinda Depot,

R/o. Pathikonda, Kurnool District.

..... PETITIONER

AND

1 The APSTRC., rep by. its Regional Manager

Kurnool Region, Kunool District.
2 The APSTRC., rep by. its Depot Manager,

Pathikonda, Kunool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents herein in not granting the selection grade scale stagnation increments to the petitioner on completion of 12 years service is illegal, unjust and arbitrary, contrary to well established principles of law and as such set aside the same by directing the respondents herein to add to the stagnation increment to the petitioner on completion of 12 years of service irrespective of his transfer from the date of initial appointment w.e.f.29.01.1990 and to pay the arrears by refixing the pay of the petitioner forthwith and to pass such other order or orders.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 and 2: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following:

ORDER:

For not granting stagnation increment the present writ petition is filed.

According to the writ petitioner, he completed 12 years of service in the respondent Corporation, and therefore, he is entitled to the stagnation increment. As the stagnation increment/Special Grade was not sanctioned to him, the present writ petition is filed.

The learned counsel for the petitioner contended that the total service rendered by the petitioner in the Respondent Corporation has to be taken into consideration for granting stagnation increment/Special Grade.

On the other hand, the learned Counsel for the respondents contended that as the petitioner has not completed 12 years of service in a particular region, he is not entitled for such benefits.

This Court in W.A.No.1301 of 2000, dated 29.10.2002 held that it is the total service rendered by the petitioner in the respondent Corporation that counts, but not in the division or region. Following the above judgment, the total service of the petitioner has to be taken into consideration in granting stagnation increment/Special Grade.

Therefore, the respondents are directed to consider the case of the petitioner for granting stagnation/Special Grade increment, considering the total service rendered by him in the Corporation, within a period of 2 (two) months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No order as to costs.

Dated: 30.12.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Regional Manager, APSRTC,

Kurnool Region, Kurnool

2. The Depot Manager, APSRTC,

Pathikonda, Kurnool District

3. Two CD copies

*Form-NIC-OGS/WP{**BJPR**}*